
PROVIDING FOR CONSIDERATION OF THE BILL (S. 627) TO
ESTABLISH THE COMMISSION ON FREEDOM OF
INFORMATION ACT PROCESSING DELAYS, AND FOR OTHER
PURPOSES.

July 27, 2011.—Referred to the House Calendar and ordered to be printed.

MR. DREIER, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res.]

The Committee on Rules, having had under consideration House Resolution____, by a record vote of 8 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of S. 627, the Faster FOIA Act of 2011, under a closed rule. The resolution provides two hours of debate with one hour equally divided and controlled by the chair and ranking minority member of the Committee on Rules, 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means, and 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute printed in Part A this report, modified by the amendment printed in Part B of this report, shall be considered as adopted. The bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution authorizes the Speaker to entertain motions to suspend the rules at any time through Sunday, July 31, 2011 if the measure was made available on the previous legislative day, except measures proposing an amendment to the Constitution, which must be

available for three legislative days. This section further provides that if the Speaker entertains a motion to suspend the rules relating to a measure proposing a balanced budget amendment to the Constitution, debate shall be extended to two hours.

Sections 3 and 4 of the resolution set the dates for the convening of the House for the anticipated pro forma sessions during the period from August 1, 2011 through September 6, 2011, and provide that the Speaker may dispense with legislative business for those pro forma sessions and authorize the Speaker to declare the House adjourned to a time on the next pro forma session day.

Section 5 of the resolution provides for the approval of the Journal during pro forma sessions from August 1, 2011 through September 6, 2011.

Section 6 of the resolution provides that days during the period from August 1, 2011 through September 6, 2011 do not constitute calendar days for purposes of Section 7 of the War Powers Resolution.

Section 7 of the resolution provides that bills and resolutions introduced during the period beginning on August 1, 2011 and ending September 6, 2011 must be numbered, included in the *Congressional Record*, and printed with the date of introduction, but may be referred by the Speaker at a later time.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 10 of rule XXI, prohibiting the consideration of a bill if it has the net effect of increasing mandatory spending over the five or ten year period. Title V of the bill, as amended, provides \$17 billion in mandatory funding for the Federal Pell Grant program and makes other changes to education programs that decrease spending. While title V has the net effect of decreasing mandatory spending by \$5 billion over the ten year period, it also has the net effect of increasing mandatory spending by \$8 billion over the five year period, causing the bill to be in violation of clause 10 of rule XXI.

It is important to note that the bill, as amended, produces significant savings over the ten year period through the establishment of statutory caps on discretionary spending that are enforced by across-the-board spending reductions. Because these spending reductions are discretionary savings, the Congressional Budget Office does not take these savings into account for the purposes of clause 10 of rule XXI. It is also important to note that the Congressional Budget Office does not recognize the estimated \$16 billion in program integrity savings over the ten year period when calculating the net budgetary effect of title V for the purposes of enforcing clause 10 of rule XXI.

The waiver of all points of order against consideration of the bill also includes a waiver of section 302(f) of the Congressional Budget Act prohibiting the consideration of legislation providing new budget authority in excess of a committee's 302(a) allocation of such authority in the first fiscal year or over ten fiscal years. Title V of the bill, as amended, increases mandatory funding for the Federal Pell Grant program. The increase in funding exceeds the 302(a) allocation for the Committee on Education and the Workforce in the first fiscal year period by \$3 billion, causing the bill to be in violation of section 302(f) of the Congressional Budget Act.

Although the resolution waives all points of order against provisions in the bill, as amended, the Committee is not aware of any points of order against provisions in the bill, as amended. The waiver is prophylactic.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 122

Motion by Ms. Slaughter to report an open rule. Defeated: 4-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Ms. Slaughter.....	Yea
Ms. Foxx.....	Nay	Mr. McGovern.....	Yea
Mr. Bishop of Utah.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	Yea
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 123

Motion by Mr. Sessions to report a closed rule. Adopted: 8-4

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Yea	Ms. Slaughter.....	Nay
Ms. Foxx.....	Yea	Mr. McGovern.....	Nay
Mr. Bishop of Utah.....	Yea	Mr. Hastings of Florida.....	Nay
Mr. Woodall.....	Yea	Mr. Polis.....	Nay
Mr. Nugent.....	Yea		
Mr. Scott of South Carolina...	Yea		
Mr. Webster.....	Yea		
Mr. Dreier, Chairman.....	Yea		

SUMMARY OF AMENDMENT IN PART A CONSIDERED AS ADOPTED

The amendment in the nature of a substitute would strike all after the enacting clause and insert a new matter consisting of the Budget Control Act of 2011 (BCA). The BCA would: establish ten year discretionary spending caps; provide for the passage of a balanced budget amendment to the Constitution; create a joint committee of Congress charged with making legislative recommendations to achieve additional spending reductions; increase the debt limit pursuant to a resolution of disapproval and enactment of a joint committee's recommendations; establish expedited procedures for consideration of a resolution of disapproval and for consideration of the joint committee's recommendations; and make changes to the Pell Grant program.

SUMMARY OF AMENDMENT IN PART B CONSIDERED AS ADOPTED

Would make technical changes to the amendment in the nature of substitute related to the timing of consideration of resolution of disapproval. Would increase the savings achieved in the bill by removing a limitation on outlay calculations, which allows CBO to provide a more accurate measure of the likely rate of spending. Would also create a new point of order against consideration of a measure that would violate the discretionary spending caps. In the Senate, the amendment requires a three-fifths vote to waive the new point of order.

SECTION-BY-SECTION ANALYSIS OF THE
AMENDMENT IN PART A AS MODIFIED BY THE
AMENDMENT IN PART B
CONSIDERED AS ADOPTED

Section 1. Short Title; Table of Contents.

This section provides a short title for the bill, the “Budget Control Act of 2011.” It also provides a table of contents.

TITLE I—TEN-YEAR DISCRETIONARY CAPS WITH SEQUESTER

Sec. 101. Enforcing Discretionary Spending Limits

This section amends section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 to establish 10-year discretionary spending limits (caps) for fiscal years 2012 through 2021 that would reduce discretionary spending by \$915 billion. This is achieved through savings in budget authority and outlays.

Subsection (a) enforces the discretionary spending caps through a sequestration process (across-the-board reductions) occurring 15 days after Congress adjourns at the end of a session and authorizes the President to exempt any military personnel accounts from sequestration provided that the savings are achieved through across-the-board reductions in the remainder of the Department of Defense (DOD) budget. Subsection (a) largely mirrors the Balanced Budget and Emergency Deficit Control Act of 1985 (also known as “Gramm-Rudman-Hollings”) providing guidance for part-year appropriations, a look-back sequester, and a within session sequestration if caps are exceeded. It also provides a timeline of Congressional Budget Office (CBO) and Office of Management and Budget (OMB) estimates and explanation of differences.

Subsection (b) provides for adjustments to discretionary spending limits for emergency appropriations and appropriations for the global war on terrorism. It also provides adjustments for additional spending to combat waste, fraud, and abuse.

Subsection (c) establishes discretionary limits for FY 2012 through 2021. It sets separate discretionary limits for defense programs (function 050) for FY 2012 and FY 2013 that establishes funding range for defense programs.

Sec. 102. Definitions

This section amends section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 to define terms used in the title, including emergencies.

Sec. 103. Reports and Orders

This section provides updates to reports and orders required by section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 104. Expiration

This section repeals section 275 of the Balance Budget and Emergency Deficit Control Act of 1985 that has the effect of putting the discretionary enforcement sequester procedures in effect.

Sec. 105. Conforming Amendments to the Congressional Budget and Impoundment Control Act of 1974

This section provides for conforming amendments to the Congressional Budget Act of 1974. Specifically, section 314 of that Act is amended to allow the Chairman of the House and Senate Budget Committees to make budgetary adjustments to reflect the adjustments in spending limits. It also provides for the budget treatment of emergency spending and a process by which members of the House can strike a designation for emergency funding.

The section further establishes a new point of order against consideration of a measure that would violate the discretionary spending caps. A waiver of this point of order would require a three-fifths vote in the Senate.

TITLE II—VOTE ON THE BALANCED BUDGET AMENDMENT

Sec. 201. Vote on the Balanced Budget Amendment

This section requires a vote on passage of a joint resolution entitled "Joint resolution proposing a balanced budget amendment to the Constitution of the United States" between September 30 and December 31, 2011.

Sec. 202. Consideration by the Other House.

This section provides for expedited consideration by the House and Senate of the joint resolution of the other House. These provisions are largely similar to the expedited procedures used in title III.

TITLE III—DEBT CEILING DISAPPROVAL PROCESS

Sec. 301. Debt Ceiling Disapproval Process.

This section adds a new section after 31 U.S.C. 3101 providing for modification of the debt ceiling by the President and a process for the Congress to disapprove of those modifications.

The new section provides that if the President submits a written certification to Congress by December 31, 2011 that the debt is within \$100 billion of the debt limit, the Secretary of the Treasury is authorized to borrow an additional \$900 billion, subject to the enactment of a joint resolution of disapproval. Upon submission of the certification, the debt limit is increased by \$400 billion.

The section authorizes the Congress to consider a joint resolution of disapproval subject to the procedures of this section. If Congress fails to

enact the joint resolution, the debt limit is increased by an additional \$500 billion.

The section further authorizes the Secretary to borrow an additional amount equal to \$1.6 trillion, subject to Presidential certification and Congressional disapproval, if the amount of deficit reduction achieved pursuant to the creation of the joint committee in title IV of the bill is greater than \$1.6 trillion.

The section further mandates the content of the joint resolution of disapproval, limitations on when a joint resolution may be introduced, and expedited procedures for consideration of the joint resolution.

Expedited procedures in the House:

- The House must convene not later than the second calendar day after the receipt of a Presidential certification with respect to the additional amount of borrowing authority described in the section.
- Any committee to which the joint resolution has been referred must report it to the House not later than five calendar days after the introduction of the Presidential certification. If a committee fails to report the joint resolution within the time period, the committee is discharged from further consideration.
- Requires consideration of the joint resolution in the House not later than six calendar days after introduction of the joint resolution.
- All points of order against the joint resolution and its consideration are waived.
- No amendments to the joint resolution are in order.
- The joint resolution is debatable for two hours prior to a vote on passage.

Expedited procedures in the Senate:

- The Senate must convene not later than the second calendar day after the receipt of a Presidential certification.
- A motion to proceed to a joint resolution of disapproval of the initial \$900 billion increase to the debt limit is in order at any time during the period beginning the day after receipt of a Presidential certification and ending on September 14, 2011.
- A motion to proceed to a joint resolution of disapproval of the additional amount is in order at any time during the period beginning the day after receipt of a Presidential certification and ending on the 6th day after Congress has received a certification.
- All points of order against the joint resolution are waived.
- No amendments to the joint resolution are in order.
- Consideration of the joint resolution is limited to not more than 10 hours.

Paragraph (5) provides that if the President vetoes a resolution of disapproval and the Congress overrides the veto, the debt limit is not increased.

Paragraph (6) provides that if the Congress overrides the President's veto, the Office of Management and Budget is directed to sequester pro rata amounts from certain accounts equal to the initial \$400 billion provided in this section.

TITLE IV—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

Sec. 401. Establishment of Joint Committee.

Subsection (a) defines terms used in the title. Specifically, it defines the term "joint committee" as the Joint Select Committee on Deficit Reduction and "joint committee bill" as the bill containing the legislative recommendations of the joint committee.

Subsection (b) provides for the establishment of the joint committee. Paragraph (1) establishes the joint committee, and paragraph (2) sets forth the goal of reducing the deficit by \$1.8 trillion over the period of 2012 through 2021.

Paragraph (3) establishes the duties of the joint committee. The joint committee is required to provide recommendations (including legislative language) that will significantly improve both the short- and long-term fiscal imbalance of the Federal Government.

The joint committee must also consider any recommendations from House and Senate committees with respect to changes in law necessary to meet the goal of the joint committee. Those committees may report their recommendations to the joint committee by October 14, 2011.

By November 23, 2011, the joint committee is required to vote on a report which contains the findings, conclusions, and recommendations of the joint committee, as well as the estimates provided by the Congressional Budget Office (CBO) and legislative language in support of those recommendations, which must also contain a statement of the deficit reduction achieved over fiscal years 2012 through 2021. A majority of the members of the joint committee must approve the report and accompanying legislative language. The text of the report and accompanying legislative language must be made public promptly after the vote on adoption of those matters.

The legislation also provides for any member of the joint committee to file additional, supplemental, or minority views within 3 calendar days if that member provides notice of his or her intention at the time of final vote on adoption of the report and legislative language. The report and accompanying legislative language must be transmitted to the President, Vice President, the Speaker of the House, and the majority and minority leaders of the House and Senate by December 2, 2011.

The joint committee is to be comprised of 12 members appointed by the majority and minority leaders of the Senate, and the Speaker and minority leader of the House, who each must appoint three members. The Speaker and the majority leader of the Senate must each appoint one member to serve as Co-Chair from among the members of the joint committee. The members of the joint committee and the Co-Chairs must be appointed within 14 calendar days after enactment of this bill. Members are appointed for the life of the joint committee, and a vacancy must be filled in

the same manner as the original appointment.

The Co-Chairs must jointly hire a staff director for the joint committee. It is also authorized to incur expenses in the same manner as the Joint Economic Committee and any actual and necessary expenses approved by the co-chairs are authorized to be disbursed by the Senate, subject to Senate rules and regulations.

Seven members of the joint committee constitute a quorum for purposes of voting, meeting, and holding hearings.

With respect to voting, proxy voting is prohibited and the joint committee is enjoined from voting on the report, recommendations, or legislative language unless an estimate from the CBO is available to the members of the joint committee for at least 48 hours prior. In its analysis, CBO are required to estimate the effect of interest payments on the debt, and CBO is also directed to estimate the budgetary effects of the legislative language beyond 2021.

The joint committee must hold its first meeting not later than 45 days after the date of enactment of this legislation and the Co-Chairs must provide an agenda at least 48 hours prior to each meeting.

The joint committee is authorized to hold hearings, require attendance of witnesses and production of documents, take testimony, receive evidence, and administer oaths as the committee deems advisable. It may also sit and act whenever necessary.

Hearings must be announced at least 7 days in advance, unless the Co-Chairs determine that there is good cause to hold a hearing earlier. Witnesses appearing before the joint committee must file a written statement of proposed testimony at least 2 days prior to appearance, unless waived by the Co-Chairs.

Federal agencies must provide technical assistance to the joint committee on the written request of the Co-Chairs.

Subsection (c)(1) addresses the staff of the joint committee. The Co-Chairs are authorized to appoint and set the compensation of staff as they deem necessary, and within the guidelines and rules for Senate employees. Paragraph (2) provides that the members of the joint committee will be bound by the rules and ethical requirements of the House in which they serve, while staff of the joint committee are governed by the Senate ethics rules.

Sec. 402. Expedited Consideration of Joint Committee Recommendations.

Subsection (a) provides for introduction of the joint committee's legislative recommendations. If approved by the joint committee, the legislative language accompanying their recommendations must be introduced on the next session or legislative day in the House or Senate, respectively. The measure is to be introduced (by request) in the Senate and House by the majority leader of each body or a designee.

Subsection (b) provides for expedited consideration in the House. Each committee receiving a referral of the joint committee bill must report that bill without amendment not later than December 9, 2011. If a committee fails to report the bill prior to that date, a member may offer a motion to discharge the bill. That motion is debatable for 20 minutes, equally divided and controlled between the proponent and an opponent and a motion to reconsider the vote disposing of the motion is not available. The motion to discharge is not available after the last committee reports the bill

or the House has considered a prior motion to discharge.

If the motion is adopted or after the last committee reports the joint committee bill, a motion to proceed to the consideration of the bill is in order. The motion to proceed is not debatable, and a motion to reconsider the vote disposing of the motion to proceed is not available.

If the House proceeds to consideration of the joint committee bill, all points of order against the bill and its consideration are waived, and it is considered as read. The joint committee bill is debatable for 2 hours, equally divided and controlled by the proponent and an opponent. One motion to limit debate is available, while a motion to reconsider the vote disposing of the joint committee bill is not in order. The vote on passage of the joint committee bill must occur on or before December 23, 2011.

Subsection (c) provides for expedited consideration in the Senate. The joint committee bill must be referred jointly to the committees of jurisdiction. Each committee to which the bill is referred must report the bill with a favorable or unfavorable recommendation, or no recommendation, by not later than December 9, 2011 and without amendment. If any committee fails to report the bill by that date, that committee will be automatically discharged and the joint committee bill placed on the appropriate calendar.

Two days after the last Senate committee reports the joint committee bill or is discharged, the majority leader of the Senate or a designee may move to proceed to the consideration of the joint committee bill, even if a prior motion to proceed has failed. All points of order against the motion to proceed are waived and it is not debatable, and it is not subject to a motion to postpone or reconsider. If the motion to proceed is agreed to, the joint committee bill will remain unfinished business until it is disposed of.

Consideration of the joint committee bill, including all debatable motions and appeals, is limited to 30 hours equally divided between the majority and minority leaders of the Senate. All points of order against the joint committee bill and its consideration are waived. A non-debatable motion to limit debate is available and requires an affirmative three-fifths vote. Any debatable motion or appeal is limited to one hour, equally divided between a proponent and an opponent. All time used for consideration of the joint committee bill, including time used for quorum calls, counts against the 30-hour total.

No amendments to the joint committee bill or a motion to postpone, proceed to the consideration of other business, or recommit are in order. Appeals from decisions of the chair regarding application of the rules of the Senate to consideration of the joint committee bill are non-debatable.

The Senate must vote on passage of the joint committee bill immediately after the conclusion of debate and a quorum call, if requested. The Senate must also vote on the joint committee bill not later than December 23, 2011.

Subsection (d) provides that the joint committee bill is not subject to amendment in either the House or Senate.

Subsection (e) provides standard language to address the handling of the joint committee bill if passed by one chamber before the other has completed its consideration. It also provides that if the joint committee bill is a revenue measure, the subsection does not apply to the House.

Subsection (f) also contains several standard provisions to address issues in the Senate when they receive a joint committee bill from the House. First, it provides that joint committee bill originated by the House is entitled to expedited consideration in the Senate if the Senate fails to introduce or consider a joint committee bill. Second, if the Senate receives the joint

committee bill after passage of the joint committee bill, the House version is not debatable and the vote on passage of the Senate version is considered to be the vote on the House version. Finally, it provides that debate on a veto message on the joint committee bill in the Senate is limited to one hour, equally divided between the majority and minority leaders.

Subsection (g) provides that the joint committee bill loses its privileged status if the joint committee fails to vote on the report or legislative language by November 23, 2011 or the joint committee bill does not pass both the House and Senate by December 23, 2011.

Sec. 403. Funding.

This section provides that the funding of the joint committee is to be paid equally out of the applicable accounts of the Senate and House of Representatives, subject to the rules and regulations of the Senate.

Sec. 404. Rulemaking.

This section clarifies that the provisions are enacted as an exercise of the rulemaking powers of the House and Senate, that they are considered part of the rules of each House, and that each House has a constitutional right to change the rules in the same manner that each House may change any other rule.

TITLE V—PELL GRANT AND STUDENT LOAN PROGRAM CHANGES

Sec. 501. Federal Pell Grants.

This section provides \$17 billion in mandatory funds over two years to help fill the funding gap in the Federal Pell Grant program.

Sec. 502. Termination of Authority to Make Interest Subsidized Loans to Graduate and Professional Students.

This section eliminates the ability of graduate and professional students to take out subsidized Stafford loans, beginning on July 1, 2012. This elimination does not apply to students enrolled in a program leading up to a degree or certificate or students enrolled in a program necessary for a teaching credential or certification where such credential or certification is required by the state.

Sec. 503. Termination of Direct Loan Repayment Incentives.

This section sunsets the Secretary of Education's authority to provide incentives for on-time repayment of students loans on July 1, 2012. This section also explicitly prohibits the Secretary of Education from creating any incentives for on-time repayment of student loans.

Sec. 504. Inapplicability of Title IV Negotiated Rulemaking and Master Calendar Exception.

This section clarifies that the negotiated rulemaking requirement included in title IV and the master calendar requirements to not apply to the changes made in this Act.

PART A—TEXT OF AMENDMENT CONSIDERED AS ADOPTED

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO S. 627
OFFERED BY M. _____**

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Budget Control Act of 2011”.

4 (b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—TEN-YEAR DISCRETIONARY CAPS WITH SEQUESTER

Sec. 101. Enforcing discretionary spending limits.

Sec. 102. Definitions.

Sec. 103. Reports and orders.

Sec. 104. Expiration.

Sec. 105. Conforming amendments to the Congressional Budget and Impoundment Control Act of 1974.

TITLE II—VOTE ON THE BALANCED BUDGET AMENDMENT

Sec. 201. Vote on the balanced budget amendment.

Sec. 202. Consideration by the other House.

TITLE III—DEBT CEILING DISAPPROVAL PROCESS

Sec. 301. Debt ceiling disapproval process.

TITLE IV—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

Sec. 401. Establishment of Joint Select Committee.

Sec. 402. Expedited consideration of joint committee recommendations.

Sec. 403. Funding.

Sec. 404. Rulemaking.

TITLE V—PELL GRANT AND STUDENT LOAN PROGRAM CHANGES

Sec. 501. Federal Pell Grants.

Sec. 502. Termination of authority to make interest subsidized loans to graduate and professional students.

Sec. 503. Termination of Direct Loan repayment incentives.

Sec. 504. Inapplicability of title IV negotiated rulemaking and master calendar exception.

1 **TITLE I—TEN-YEAR DISCRE-**
2 **TIONARY CAPS WITH SEQUES-**
3 **TER**

4 **SEC. 101. ENFORCING DISCRETIONARY SPENDING LIMITS.**

5 Section 251 of the Balanced Budget and Emergency
6 Deficit Control Act of 1985 is amended to read as follows:

7 **“SEC. 251. ENFORCING DISCRETIONARY SPENDING LIMITS.**

8 **“(a) ENFORCEMENT.—**

9 **“(1) SEQUESTRATION.—**Within 15 calendar
10 days after Congress adjourns to end a session there
11 shall be a sequestration to eliminate a budget-year
12 breach, if any.

13 **“(2) ELIMINATING A BREACH.—**Each non-ex-
14 empt account shall be reduced by a dollar amount
15 calculated by multiplying the enacted level of
16 sequestrable budgetary resources in that account at
17 that time by the uniform percentage necessary to
18 eliminate a breach.

19 **“(3) MILITARY PERSONNEL.—**If the President
20 uses the authority to exempt any personnel account
21 from sequestration under section 255(f), each ac-
22 count within subfunctional category 051 (other than
23 those military personnel accounts for which the au-
24 thority provided under section 255(f) has been exer-

1 cised) shall be further reduced by a dollar amount
2 calculated by multiplying the enacted level of non-ex-
3 empt budgetary resources in that account at that
4 time by the uniform percentage necessary to offset
5 the total dollar amount by which outlays are not re-
6 duced in military personnel accounts by reason of
7 the use of such authority.

8 “(4) PART-YEAR APPROPRIATIONS.—If, on the
9 date specified in paragraph (1), there is in effect an
10 Act making or continuing appropriations for part of
11 a fiscal year for any budget account, then the dollar
12 sequestration calculated for that account under
13 paragraphs (2) and (3) shall be subtracted from—

14 “(A) the annualized amount otherwise
15 available by law in that account under that or
16 a subsequent part-year appropriation; and

17 “(B) when a full-year appropriation for
18 that account is enacted, from the amount other-
19 wise provided by the full-year appropriation.

20 “(5) LOOK-BACK.—If, after June 30, an appro-
21 priation for the fiscal year in progress is enacted
22 that causes a breach for that year (after taking into
23 account any sequestration of amounts), the discre-
24 tionary spending limits for the next fiscal year shall

1 be reduced by the amount or amounts of that
2 breach.

3 “(6) WITHIN-SESSION SEQUESTRATION.—If an
4 appropriation for a fiscal year in progress is enacted
5 (after Congress adjourns to end the session for that
6 budget year and before July 1 of that fiscal year)
7 that causes a breach for that year (after taking into
8 account any prior sequestration of amounts), 15
9 days later there shall be a sequestration to eliminate
10 that breach following the procedures set forth in
11 paragraphs (2) through (4).

12 “(7) ESTIMATES.—

13 “(A) CBO ESTIMATES.—As soon as prac-
14 ticable after Congress completes action on any
15 discretionary appropriation, CBO, after con-
16 sultation with the Committees on the Budget of
17 the House of Representatives and the Senate,
18 shall provide OMB with an estimate of the
19 amount of discretionary new budget authority
20 for the current year, if any, and the budget
21 year provided by that legislation.

22 “(B) OMB ESTIMATES AND EXPLANATION
23 OF DIFFERENCES.—Not later than 7 calendar
24 days (excluding Saturdays, Sundays, and legal
25 holidays) after the date of enactment of any

1 discretionary appropriation, OMB shall trans-
2 mit a report to the House of Representatives
3 and to the Senate containing the CBO estimate
4 of that legislation, an OMB estimate of the
5 amount of discretionary new budget authority
6 for the current year, if any, and the budget
7 year provided by that legislation, and an expla-
8 nation of any difference between the 2 esti-
9 mates. If during the preparation of the report
10 OMB determines that there is a significant dif-
11 ference between OMB and CBO, OMB shall
12 consult with the Committees on the Budget of
13 the House of Representatives and the Senate
14 regarding that difference and that consultation
15 shall include, to the extent practicable, written
16 communication to those committees that affords
17 such committees the opportunity to comment
18 before the issuance of the report.

19 “(C) ASSUMPTIONS AND GUIDELINES.—
20 OMB estimates under this paragraph shall be
21 made using current economic and technical as-
22 sumptions. OMB shall use the OMB estimates
23 transmitted to the Congress under this para-
24 graph. OMB and CBO shall prepare estimates
25 under this paragraph in conformance with

1 scorekeeping guidelines determined after con-
2 sultation among the House and Senate Commit-
3 tees on the Budget, CBO, and OMB.

4 “(D) ANNUAL APPROPRIATIONS.—For
5 purposes of this paragraph, amounts provided
6 by annual appropriations shall include any dis-
7 cretionary appropriations for the current year,
8 if any, and the budget year in accounts for
9 which funding is provided in that legislation
10 that result from previously enacted legislation.

11 “(b) ADJUSTMENTS TO DISCRETIONARY SPENDING
12 LIMITS.—

13 “(1) CONCEPTS AND DEFINITIONS.—When the
14 President submits the budget under section 1105 of
15 title 31, United States Code, OMB shall calculate
16 and the budget shall include adjustments to discre-
17 tionary spending limits (and those limits as cumula-
18 tively adjusted) for the budget year and each out-
19 year to reflect changes in concepts and definitions.
20 Such changes shall equal the baseline levels of new
21 budget authority and outlays using up-to-date con-
22 cepts and definitions minus those levels using the
23 concepts and definitions in effect before such
24 changes. Such changes may only be made after con-
25 sultation with the Committees on Appropriations

1 and the Budget of the House of Representatives and
2 the Senate and that consultation shall include writ-
3 ten communication to such committees that affords
4 such committees the opportunity to comment before
5 official action is taken with respect to such changes.

6 “(2) SEQUESTRATION REPORTS.—When OMB
7 submits a sequestration report under section 254(e),
8 (f), or (g) for a fiscal year, OMB shall calculate, and
9 the sequestration report and subsequent budgets
10 submitted by the President under section 1105(a) of
11 title 31, United States Code, shall include adjust-
12 ments to discretionary spending limits (and those
13 limits as adjusted) for the fiscal year and each suc-
14 ceeding year, as follows:

15 “(A) EMERGENCY APPROPRIATIONS; OVER-
16 SEAS CONTINGENCY OPERATIONS/GLOBAL WAR
17 ON TERRORISM.—If, for any fiscal year, appro-
18 priations for discretionary accounts are enacted
19 that—

20 “(i) the President designates as emer-
21 gency requirements and that the Congress
22 so designates in statute on an account by
23 account basis; or

24 “(ii) the President designates for
25 Overseas Contingency Operations/Global

1 War on Terrorism and that the Congress
2 so designates in statute on an account by
3 account basis;
4 the adjustment shall be the total of such appro-
5 priations in discretionary accounts designated
6 as emergency requirements or for Overseas
7 Contingency Operations/Global War on Ter-
8 rorism, as applicable, and the outlays flowing in
9 all fiscal years from such appropriations.

10 “(B) CONTINUING DISABILITY REVIEWS
11 AND REDETERMINATIONS.—(i) If a bill or joint
12 resolution making appropriations for a fiscal
13 year is enacted that specifies an amount for
14 continuing disability reviews under titles II and
15 XVI of the Social Security Act and for the cost
16 associated with conducting redeterminations of
17 eligibility under title XVI of the Social Security
18 Act, then the adjustments for that fiscal year
19 shall be the additional new budget authority
20 provided in that Act for such expenses for that
21 fiscal year and the additional outlays flowing
22 therefrom, but shall not exceed—

23 “(I) for fiscal year 2012,
24 \$623,000,000 in additional new budget au-
25 thority;

1 “(II) for fiscal year 2013,
2 \$751,000,000 in additional new budget au-
3 thority;

4 “(III) for fiscal year 2014,
5 \$924,000,000 in additional new budget au-
6 thority;

7 “(IV) for fiscal year 2015,
8 \$1,123,000,000 in additional new budget
9 authority;

10 “(V) for fiscal year 2016,
11 \$1,166,000,000 in additional new budget
12 authority;

13 “(VI) for fiscal year 2017,
14 \$1,309,000,000 in additional new budget
15 authority;

16 “(VII) for fiscal year 2018,
17 \$1,309,000,000 in additional new budget
18 authority;

19 “(VIII) for fiscal year 2019,
20 \$1,309,000,000 in additional new budget
21 authority;

22 “(IX) for fiscal year 2020,
23 \$1,309,000,000 in additional new budget
24 authority; and

1 “(X) for fiscal year 2021,
2 \$1,309,000,000 in additional new budget
3 authority.

4 “(ii) As used in this subparagraph—

5 “(I) the term ‘continuing disability re-
6 views’ means continuing disability reviews
7 under titles II and XVI of the Social Secu-
8 rity Act and redeterminations of eligibility
9 under title XVI of the Social Security Act;
10 and

11 “(II) the term ‘additional new budget
12 authority’ means the amount provided for
13 a fiscal year, in excess of \$273,000,000, in
14 an appropriation Act and specified to pay
15 for the costs of continuing disability re-
16 views under the heading ‘Limitation on
17 Administrative Expenses’ for the Social Se-
18 curity Administration.

19 “(C) HEALTH CARE FRAUD AND ABUSE
20 CONTROL.—

21 “(i) If a bill or joint resolution mak-
22 ing appropriations for a fiscal year is en-
23 acted that specifies an amount for the
24 health care fraud abuse control program at
25 the Department of Health and Human

1 Services (75–8393–0–7–571), then the ad-
2 justments for that fiscal year shall be the
3 amount of additional new budget authority
4 provided in that Act for such program for
5 that fiscal year and the additional outlays
6 flowing therefrom, but shall not exceed—

7 “(I) for fiscal year 2012,
8 \$270,000,000 in additional new budg-
9 et authority;

10 “(II) for fiscal year 2013,
11 \$299,000,000 in additional new budg-
12 et authority;

13 “(III) for fiscal year 2014,
14 \$329,000,000 in additional new budg-
15 et authority;

16 “(IV) for fiscal year 2015,
17 \$361,000,000 in additional new budg-
18 et authority;

19 “(V) for fiscal year 2016,
20 \$395,000,000 in additional new budg-
21 et authority;

22 “(VI) for fiscal year 2017,
23 \$414,000,000 in additional new budg-
24 et authority;

1 “(VII) for fiscal year 2018,
2 \$434,000,000 in additional new budg-
3 et authority;

4 “(VIII) for fiscal year 2019,
5 \$454,000,000 in additional new budg-
6 et authority;

7 “(IX) for fiscal year 2020,
8 \$475,000,000 in additional new budg-
9 et authority; and

10 “(X) for fiscal year 2021,
11 \$496,000,000 in additional new budg-
12 et authority.

13 “(ii) As used in this subparagraph,
14 the term ‘additional new budget authority’
15 means the amount provided for a fiscal
16 year, in excess of \$311,000,000, in an ap-
17 propriation Act and specified to pay for
18 the costs of the health care fraud and
19 abuse control program.

20 The adjustment for outlays shall only be for the out-
21 lays flowing from the additional new budget author-
22 ity and the total outlays adjustments made for any
23 fiscal year shall not exceed the total adjustments
24 made for that fiscal year in new budget authority.

1 “(c) DISCRETIONARY SPENDING LIMIT.—As used in
2 this part, the term ‘discretionary spending limit’ means—

3 “(1) with respect to fiscal year 2012, for total
4 discretionary spending: \$1,043,000,000,000, in new
5 budget authority and \$1,262,000,000,000 in outlays,
6 of which new budget authority for function 050 shall
7 be between \$535,440,000,000 and
8 \$568,560,000,000;

9 “(2) with respect to fiscal year 2013, for total
10 discretionary spending: \$1,047,000,000,000 in new
11 budget authority and \$1,196,000,000,000 in outlays,
12 of which new budget authority for function 050 shall
13 be between \$537,440,000,000 and
14 \$570,560,000,000;

15 “(3) with respect to fiscal year 2014, for total
16 discretionary spending: \$1,066,000,000,000 in new
17 budget authority;

18 “(4) with respect to fiscal year 2015, for total
19 discretionary spending: \$1,086,000,000,000 in new
20 budget authority;

21 “(5) with respect to fiscal year 2016, for total
22 discretionary spending: \$1,107,000,000,000 in new
23 budget authority;

1 “(6) with respect to fiscal year 2017, for total
2 discretionary spending: \$1,131,000,000,000 in new
3 budget authority;

4 “(7) with respect to fiscal year 2018, for total
5 discretionary spending: \$1,156,000,000,000 in new
6 budget authority;

7 “(8) with respect to fiscal year 2019, for total
8 discretionary spending: \$1,182,000,000,000 in new
9 budget authority;

10 “(9) with respect to fiscal year 2020, for total
11 discretionary spending: \$1,208,000,000,000 in new
12 budget authority; and

13 “(10) with respect to fiscal year 2021, for total
14 discretionary spending: \$1,234,000,000,000 in new
15 budget authority;

16 as adjusted in strict conformance with subsection (b).”.

17 **SEC. 102. DEFINITIONS.**

18 Section 250(c) is amended as follows:

19 (1) Strike paragraph (4) and redesignate suc-
20 ceeding paragraphs accordingly.

21 (2) In paragraph (7)(C) (as redesignated),
22 strike “the food stamp program” and insert “the
23 Supplemental Nutrition Assistance Program”.

24 (3) Strike paragraph (13) (as redesignated) and
25 insert the following new paragraph:

1 “(13) The term ‘outyear’ means a fiscal year
2 one or more years after the budget year.”.

3 (4) At the end, add the following new para-
4 graphs:

5 “(19) The term ‘emergency’ means a situation
6 that—

7 “(A) requires new budget authority and
8 outlays (or new budget authority and the out-
9 lays flowing therefrom) for the prevention or
10 mitigation of, or response to, loss of life or
11 property, or a threat to national security; and

12 “(B) is unanticipated.

13 “(20) The term ‘unanticipated’ means that the
14 underlying situation is—

15 “(A) sudden, which means quickly coming
16 into being or not building up over time;

17 “(B) urgent, which means a pressing and
18 compelling need requiring immediate action;

19 “(C) unforeseen, which means not pre-
20 dicted or anticipated as an emerging need; and

21 “(D) temporary, which means not of a per-
22 manent duration.”.

23 **SEC. 103. REPORTS AND ORDERS.**

24 Section 254 of the Balanced Budget and Emergency
25 Deficit Control Act of 1985 is amended as follows:

1 (1) In subsection (c)(2), strike “2002” and in-
2 sert “2021”.

3 (2) In subsection (f)(2)(A), strike “2002” and
4 insert “2021”.

5 **SEC. 104. EXPIRATION.**

6 (a) **REPEALER.**—Section 275 of the Balanced Budget
7 and Emergency Deficit Control Act of 1985 is repealed.

8 (b) **CONFORMING CHANGE.**—Sections 252(d)(1),
9 254(c), 254(f)(3), 254(f)(4), 254(g), and 254(i) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985 shall not apply to the Congressional Budget Office.

12 **SEC. 105. CONFORMING AMENDMENTS TO THE CONGRES-**
13 **SIONAL BUDGET AND IMPOUNDMENT CON-**
14 **TROL ACT OF 1974.**

15 (a) **ADJUSTMENTS.**—Section 314 of the Congres-
16 sional Budget Act of 1974 is amended as follows:

17 (1) Strike subsection (a) and insert the fol-
18 lowing:

19 “(a) **ADJUSTMENTS.**—After the reporting of a bill or
20 joint resolution or the offering of an amendment thereto
21 or the submission of a conference report thereon, the
22 chairman of the Committee on the Budget of the House
23 of Representatives or the Senate may make appropriate
24 budgetary adjustments of new budget authority and the
25 outlays flowing therefrom in the same amount as required

1 by section 251(b) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.”.

3 (2) Strike subsections (b) and (e) and redesignate
4 subsections (c) and (d) as subsections (b) and
5 (c), respectively.

6 (3) At the end, add the following new subsection:
7

8 “(d) EMERGENCIES.—If a reported bill or joint resolution,
9 or amendment thereto or conference report thereon, contains a provision
10 providing new budget authority and outlays or reducing revenue, and a designation of such
11 provision as an emergency requirement pursuant to
12 251(b)(2)(A) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985, the chair of the Committee
14 on the Budget shall not count the budgetary effects of
15 such provision for purposes of title III and title IV of the
16 Congressional Budget Act of 1974 and the Rules of the
17 House of Representatives.”.

18 (b) MOTION TO STRIKE IN THE HOUSE OF REPRESENTATIVES.—(1) In the House of Representatives, if
19 a reported bill or joint resolution, or amendment thereto
20 or conference report thereon, contains a provision providing new budget authority and outlays or reducing revenue,
21 and a designation of such provision as an emergency pursuant to this section, the chair of the Committee on
22
23
24
25

1 the Budget shall not count the budgetary effects of such
2 provision for purposes of title III and title IV of the Con-
3 gressional Budget Act of 1974 and the Rules of the House
4 of Representatives.

5 (2) In the House of Representatives, a proposal to
6 strike a designation under paragraph (1) shall be excluded
7 from an evaluation of budgetary effects for purposes of
8 title III and title IV of the Congressional Budget Act of
9 1974 and the Rules of the House of Representatives.

10 (3) An amendment offered under paragraph (2) that
11 also proposes to reduce each amount appropriated or oth-
12 erwise made available by the pending measure that is not
13 required to be appropriated or otherwise made available
14 shall be in order at any point in the reading of the pending
15 measure.

16 (c) DEFINITIONS.—Section 3 of the Congressional
17 Budget and Impoundment Control Act of 1974 is amend-
18 ed by adding at the end the following new paragraph:

19 “(11) The terms ‘emergency’ and ‘unantici-
20 pated’ have the meanings given to such terms in sec-
21 tion 250(c) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985.”.

1 **TITLE II—VOTE ON THE BAL-**
2 **ANCED BUDGET AMENDMENT**

3 **SEC. 201. VOTE ON THE BALANCED BUDGET AMENDMENT.**

4 After September 30, 2011 and not later than Decem-
5 ber 31, 2011, the House of Representatives and Senate,
6 respectively, shall vote on passage of a joint resolution,
7 the title of which is as follows: “Joint resolution proposing
8 a balanced budget amendment to the Constitution of the
9 United States.”.

10 **SEC. 202. CONSIDERATION BY THE OTHER HOUSE.**

11 (a) HOUSE CONSIDERATION.—

12 (1) REFERRAL.—If the House receives a joint
13 resolution described in section 201 from the Senate,
14 such joint resolution shall be referred to the Com-
15 mittee on the Judiciary. If the committee fails to re-
16 port the joint resolution within five legislative days,
17 it shall be in order to move that the House discharge
18 the committee from further consideration of the
19 joint resolution. Such a motion shall not be in order
20 after the House has disposed of a motion to dis-
21 charge the joint resolution. The previous question
22 shall be considered as ordered on the motion to its
23 adoption without intervening motion except twenty
24 minutes of debate equally divided and controlled by
25 the proponent and an opponent. If such a motion is

1 adopted, the House shall proceed immediately to
2 consider the joint resolution in accordance with
3 paragraph (3). A motion to reconsider the vote by
4 which the motion is disposed of shall not be in order.

5 (2) PROCEEDING TO CONSIDERATION.—After
6 the joint resolution has been referred to the appro-
7 priate calendar or the committee has been dis-
8 charged (other than by motion) from its consider-
9 ation, it shall be in order to move to proceed to con-
10 sider the joint resolution in the House. Such a mo-
11 tion shall not be in order after the House has dis-
12 posed of a motion to proceed with respect to the
13 joint resolution. The previous question shall be con-
14 sidered as ordered on the motion to its adoption
15 without intervening motion. A motion to reconsider
16 the vote by which the motion is disposed of shall not
17 be in order.

18 (3) CONSIDERATION.—The joint resolution
19 shall be considered as read. All points of order
20 against the joint resolution and against its consider-
21 ation are waived. The previous question shall be con-
22 sidered as ordered on the joint resolution to its pas-
23 sage without intervening motion except two hours of
24 debate equally divided and controlled by the pro-
25 ponent and an opponent and one motion to limit de-

1 bate on the joint resolution. A motion to reconsider
2 the vote on passage of the joint resolution shall not
3 be in order.

4 (b) SENATE CONSIDERATION.—(1) If the Senate re-
5 ceives a joint resolution described in section 201 from the
6 House of Representatives, such joint resolution shall be
7 referred to the appropriate committee of the Senate. If
8 such committee has not reported the joint resolution at
9 the close of the fifth session day after its receipt by the
10 Senate, such committee shall be automatically discharged
11 from further consideration of the joint resolution and it
12 shall be placed on the calendar.

13 (2) Consideration of the joint resolution and on all
14 debatable motions and appeals in connection therewith,
15 shall be limited to not more than 20 hours, which shall
16 be divided equally between the majority and minority lead-
17 ers or their designees. A motion further to limit debate
18 is in order and not debatable. An amendment to, or a mo-
19 tion to postpone, or a motion to proceed to the consider-
20 ation of other business, or a motion to recommit the joint
21 resolution is not in order. Any debatable motion or appeal
22 is debatable for not to exceed 1 hour, to be divided equally
23 between those favoring and those opposing the motion or
24 appeal. All time used for consideration of the joint resolu-
25 tion, including time used for quorum calls and voting,

1 shall be counted against the total 20 hours of consider-
2 ation.

3 (3) If the Senate has voted to proceed to a joint reso-
4 lution, the vote on passage of the joint resolution shall
5 be taken on or before the close of the seventh session day
6 after such joint resolution has been reported or discharged
7 or immediately following the conclusion of consideration
8 of the joint resolution, and a single quorum call at the
9 conclusion of the debate if requested in accordance with
10 the rules of the Senate.

11 **TITLE III—DEBT CEILING** 12 **DISAPPROVAL PROCESS**

13 **SEC. 301. DEBT CEILING DISAPPROVAL PROCESS.**

14 Subchapter I of chapter 31 of subtitle III of title 31,
15 United States Code, is amended—

16 (1) in section 3101(b), by striking “or other-
17 wise” and inserting “or as provided by section
18 3101A or otherwise”; and

19 (2) by inserting after section 3101, the fol-
20 lowing:

21 **“§ 3101A. Presidential modification of the debt ceil-**
22 **ing**

23 **“(a) IN GENERAL.—**

24 **“(1) \$900 BILLION.—**

1 “(A) CERTIFICATION.—If, not later than
2 December 31, 2011, the President submits a
3 written certification to Congress that the Presi-
4 dent has determined that the debt subject to
5 limit is within \$100,000,000,000 of the limit in
6 section 3101(b) and that further borrowing is
7 required to meet existing commitments, the
8 Secretary of the Treasury may exercise author-
9 ity to borrow an additional \$900,000,000,000
10 subject to the enactment of a joint resolution of
11 disapproval enacted pursuant to this section.
12 Upon submission of such certification, the limit
13 on debt provided in section 3101(b) (referred to
14 in this section as the ‘debt limit’) is increased
15 by \$400,000,000,000.

16 “(B) RESOLUTION OF DISAPPROVAL.—
17 Congress may consider a joint resolution of dis-
18 approval of the authority under subparagraph
19 (A) as provided in subsections (b) through (f).
20 The joint resolution of disapproval considered
21 under this section shall contain only the lan-
22 guage provided in subsection (b)(2). If the time
23 for disapproval has lapsed without enactment of
24 a joint resolution of disapproval under this sec-

tion, the debt limit is increased by an additional
\$500,000,000,000.

“(2) ADDITIONAL AMOUNT.—

“(A) CERTIFICATION.—If, after the debt
limit is increased by \$900,000,000,000 under
paragraph (1), the President submits a written
certification to Congress that the President has
determined that the debt subject to limit is
within \$100,000,000,000 of the limit in section
3101(b) and that further borrowing is required
to meet existing commitments, the Secretary of
the Treasury may exercise authority to borrow
an additional amount equal to
\$1,600,000,000,000 if the amount of deficit re-
duction achieved pursuant to the enactment of
the joint committee bill as set forth pursuant to
section 401(b)(3) of the Budget Control Act of
2011 is greater than \$1,600,000,000,000, sub-
ject to the enactment of a joint resolution of
disapproval enacted pursuant to this section.

“(B) RESOLUTION OF DISAPPROVAL.—
Congress may consider a joint resolution of dis-
approval of the authority under subparagraph
(A) as provided in subsections (b) through (f).
The joint resolution of disapproval considered

1 under this section shall contain only the lan-
2 guage provided in subsection (b)(2). If the time
3 for disapproval has lapsed without enactment of
4 a joint resolution of disapproval under this sec-
5 tion, the debt limit is increased by the amount
6 authorized under subparagraph (A).

7 “(b) JOINT RESOLUTION OF DISAPPROVAL.—

8 “(1) IN GENERAL.—Except for the
9 \$400,000,000,000 increase in the debt limit pro-
10 vided by subsection (a)(1)(A), the debt limit may not
11 be raised under this section if, within 60 calendar
12 days after the date on which Congress receives a
13 certification described in subsection (a)(1) or within
14 15 calendar days after Congress receives the certifi-
15 cation described in subsection (a)(2) (regardless of
16 whether Congress is in session), there is enacted into
17 law a joint resolution disapproving the President’s
18 exercise of authority with respect to such additional
19 amount.

20 “(2) CONTENTS OF JOINT RESOLUTION.—For
21 the purpose of this section, the term ‘joint resolu-
22 tion’ means only a joint resolution—

23 “(A)(i) for the certification described in
24 subsection (a)(1), that is introduced on Sep-
25 tember 6, 7, 8, or 9, 2011 (or, if the Senate

1 was not in session, the next calendar day on
2 which the Senate is in session); and

3 “(ii) for the certification described in sub-
4 section (a)(2), that is introduced between the
5 date the certification is received and 3 calendar
6 days after that date;

7 “(B) which does not have a preamble;

8 “(C) the title of which is only as follows:
9 ‘Joint resolution relating to the disapproval of
10 the President’s exercise of authority to increase
11 the debt limit, as submitted under section
12 3101A of title 31, United States Code, on
13 _____’, with the blank containing the
14 date of such submission; and

15 “(D) the matter after the resolving clause
16 of which is only as follows: ‘That Congress dis-
17 approves of the President’s exercise of authority
18 to increase the debt limit, as exercised pursuant
19 to the certification under section 3101A(a) of
20 title 31, United States Code.’.

21 “(c) EXPEDITED CONSIDERATION IN HOUSE OF
22 REPRESENTATIVES.—

23 “(1) RECONVENING.—Upon receipt of a certifi-
24 cation described in subsection (a)(2), the Speaker, if
25 the House would otherwise be adjourned, shall notify

1 the Members of the House that, pursuant to this
2 section, the House shall convene not later than the
3 second calendar day after receipt of such certifi-
4 cation.

5 “(2) REPORTING AND DISCHARGE.—Any com-
6 mittee of the House of Representatives to which a
7 joint resolution is referred shall report it to the
8 House without amendment not later than 5 calendar
9 days after the date of receipt of the certification de-
10 scribed in subsection (a). If a committee fails to re-
11 port the joint resolution within that period, the com-
12 mittee shall be discharged from further consider-
13 ation of the joint resolution and the joint resolution
14 shall be referred to the appropriate calendar.

15 “(3) PROCEEDING TO CONSIDERATION.—After
16 each committee authorized to consider a joint resolu-
17 tion reports it to the House or has been discharged
18 from its consideration, it shall be in order, not later
19 than the sixth day after Congress receives a certifi-
20 cation under subsection (a), to move to proceed to
21 consider the joint resolution in the House. All points
22 of order against the motion are waived. Such a mo-
23 tion shall not be in order after the House has dis-
24 posed of a motion to proceed on a joint resolution
25 addressing a particular submission. The previous

1 question shall be considered as ordered on the mo-
2 tion to its adoption without intervening motion. The
3 motion shall not be debatable. A motion to recon-
4 sider the vote by which the motion is disposed of
5 shall not be in order.

6 “(4) CONSIDERATION.—The joint resolution
7 shall be considered as read. All points of order
8 against the joint resolution and against its consider-
9 ation are waived. The previous question shall be con-
10 sidered as ordered on the joint resolution to its pas-
11 sage without intervening motion except two hours of
12 debate equally divided and controlled by the pro-
13 ponent and an opponent. A motion to reconsider the
14 vote on passage of the joint resolution shall not be
15 in order.

16 “(d) EXPEDITED PROCEDURE IN SENATE.—

17 “(1) RECONVENING.—Upon receipt of a certifi-
18 cation under subsection (a)(2), if the Senate has ad-
19 journed or recessed for more than 2 days, the major-
20 ity leader of the Senate, after consultation with the
21 minority leader of the Senate, shall notify the Mem-
22 bers of the Senate that, pursuant to this section, the
23 Senate shall convene not later than the second cal-
24 endar day after receipt of such message.

1 “(2) PLACEMENT ON CALENDAR.—Upon intro-
2 duction in the Senate, the joint resolution shall be
3 immediately placed on the calendar.

4 “(3) FLOOR CONSIDERATION.—

5 “(A) IN GENERAL.—Notwithstanding Rule
6 XXII of the Standing Rules of the Senate, it is
7 in order at any time during the period begin-
8 ning on the day after the date on which Con-
9 gress receives a certification under subsection
10 (a) and, for the certification described in sub-
11 section (a)(1), ending on September 14, 2011,
12 and for the certification described in subsection
13 (a)(2), on the 6th day after the date on which
14 Congress receives a certification under sub-
15 section (a) (even though a previous motion to
16 the same effect has been disagreed to) to move
17 to proceed to the consideration of the joint reso-
18 lution, and all points of order against the joint
19 resolution (and against consideration of the
20 joint resolution) are waived. The motion to pro-
21 ceed is not debatable. The motion is not subject
22 to a motion to postpone. A motion to reconsider
23 the vote by which the motion is agreed to or
24 disagreed to shall not be in order. If a motion
25 to proceed to the consideration of the resolution

1 is agreed to, the joint resolution shall remain
2 the unfinished business until disposed of.

3 “(B) CONSIDERATION.—Consideration of
4 the joint resolution, and on all debatable mo-
5 tions and appeals in connection therewith, shall
6 be limited to not more than 10 hours, which
7 shall be divided equally between the majority
8 and minority leaders or their designees. A mo-
9 tion further to limit debate is in order and not
10 debatable. An amendment to, or a motion to
11 postpone, or a motion to proceed to the consid-
12 eration of other business, or a motion to recom-
13 mit the joint resolution is not in order.

14 “(C) VOTE ON PASSAGE.—If the Senate
15 has voted to proceed to a joint resolution, the
16 vote on passage of the joint resolution shall
17 occur immediately following the conclusion of
18 consideration of the joint resolution, and a sin-
19 gle quorum call at the conclusion of the debate
20 if requested in accordance with the rules of the
21 Senate.

22 “(D) RULINGS OF THE CHAIR ON PROCE-
23 DURE.—Appeals from the decisions of the Chair
24 relating to the application of the rules of the
25 Senate, as the case may be, to the procedure re-

1 lating to a joint resolution shall be decided
2 without debate.

3 “(e) AMENDMENT NOT IN ORDER.—A joint resolu-
4 tion of disapproval considered pursuant to this section
5 shall not be subject to amendment in either the House
6 of Representatives or the Senate.

7 “(f) COORDINATION WITH ACTION BY OTHER
8 HOUSE.—

9 “(1) IN GENERAL.—If, before passing the joint
10 resolution, one House receives from the other a joint
11 resolution—

12 “(A) the joint resolution of the other
13 House shall not be referred to a committee; and

14 “(B) the procedure in the receiving House
15 shall be the same as if no joint resolution had
16 been received from the other House until the
17 vote on passage, when the joint resolution re-
18 ceived from the other House shall supplant the
19 joint resolution of the receiving House.

20 “(2) TREATMENT OF JOINT RESOLUTION OF
21 OTHER HOUSE.—If the Senate fails to introduce or
22 consider a joint resolution under this section, the
23 joint resolution of the House shall be entitled to ex-
24 pedited floor procedures under this section.

1 “(3) TREATMENT OF COMPANION MEASURES.—

2 If, following passage of the joint resolution in the
3 Senate, the Senate then receives the companion
4 measure from the House of Representatives, the
5 companion measure shall not be debatable.

6 “(4) CONSIDERATION AFTER PASSAGE.—

7 “(A) IN GENERAL.—If Congress passes a
8 joint resolution, the period beginning on the
9 date the President is presented with the joint
10 resolution and ending on the date the President
11 takes action with respect to the joint resolution
12 (but excluding days when either House is not in
13 session) shall be disregarded in computing the
14 appropriate calendar day period described in
15 subsection (b)(1).

16 “(B) VETOES.—If the President vetoes the
17 joint resolution—

18 “(i) the period beginning on the day
19 on which the President vetoes the joint res-
20 olution and returns it to the originating
21 House (regardless of whether Congress is
22 in session) shall be disregarded in com-
23 puting the appropriate calendar day period
24 described in subsection (b)(1); and

1 “(ii) debate on a veto message in the
2 Senate under this section shall be 1 hour
3 equally divided between the majority and
4 minority leaders or their designees.

5 “(5) VETO OVERRIDE.—If within the appro-
6 priate calendar day period described in subsection
7 (b)(1), Congress overrides a veto of the joint resolu-
8 tion with respect to authority exercised pursuant to
9 paragraph (1) or (2) of subsection (a), the limit on
10 debt provided in section 3101(b) shall not be raised,
11 except for the \$400,000,000,000 increase in the
12 limit provided by subsection (a)(1)(A).

13 “(6) SEQUESTER.— (A) If within the 60-cal-
14 endar day period described in subsection (b)(1),
15 Congress overrides a veto of the joint resolution with
16 respect to authority exercised pursuant to paragraph
17 (1) of subsection (a), OMB shall, immediately, se-
18 quester pro rata amounts from all discretionary and
19 direct spending accounts as defined in section 250(c)
20 of the Balanced Budget and Emergency Deficit Con-
21 trol Act of 1985 (2 U.S.C. 900(c)) (as in effect Sep-
22 tember 30, 2006) equal to \$400,000,000,000. No re-
23 duction of payments for net interest (functional cat-
24 egory 900) shall be made under any order issued
25 under this paragraph.

1 “(B) Section 255 of the Balanced Budget and
2 Emergency Deficit Control Act of 1985 shall not
3 apply to this section, except that payments for mili-
4 tary personnel accounts (within subfunctional cat-
5 egory 051), TRICARE for Life, Medicare (func-
6 tional category 570), military retirement, Social Se-
7 curity (functional category 650), veterans (functional
8 category 700), and net interest (functional category
9 900) shall be exempt.

10 “(g) RULES OF HOUSE OF REPRESENTATIVES AND
11 SENATE.—This subsection and subsections (b), (c), (d),
12 (e), and (f) are enacted by Congress—

13 “(1) as an exercise of the rulemaking power of
14 the Senate and House of Representatives, respec-
15 tively, and as such it is deemed a part of the rules
16 of each House, respectively, but applicable only with
17 respect to the procedure to be followed in that
18 House in the case of a joint resolution, and it super-
19 sedes other rules only to the extent that it is incon-
20 sistent with such rules; and

21 “(2) with full recognition of the constitutional
22 right of either House to change the rules (so far as
23 relating to the procedure of that House) at any time,
24 in the same manner, and to the same extent as in
25 the case of any other rule of that House.”.

1 **TITLE IV—JOINT SELECT COM-**
2 **MITTEE ON DEFICIT REDUC-**
3 **TION**

4 **SEC. 401. ESTABLISHMENT OF JOINT SELECT COMMITTEE.**

5 (a) DEFINITIONS.—In this title:

6 (1) JOINT SELECT COMMITTEE.—The term
7 “joint committee” means the Joint Select Committee
8 on Deficit Reduction established under subsection
9 (b)(1).

10 (2) JOINT SELECT COMMITTEE BILL.—The
11 term “joint committee bill” means a bill consisting
12 of the proposed legislative language of the joint com-
13 mittee recommended under subsection (b)(3)(B) and
14 introduced under section 402(a).

15 (b) ESTABLISHMENT OF JOINT SELECT COM-
16 MITTEE.—

17 (1) ESTABLISHMENT.—There is established a
18 joint select committee of Congress to be known as
19 the “Joint Select Committee on Deficit Reduction”.

20 (2) GOAL.—The goal of the joint committee
21 shall be to reduce the deficit by \$1,800,000,000,000
22 or more over the period of fiscal years 2012 to 2021.

23 (3) DUTIES.—

24 (A) IN GENERAL.—

1 (i) IMPROVING THE SHORT-TERM AND
2 LONG-TERM FISCAL IMBALANCE.—The
3 joint committee shall provide recommenda-
4 tions and legislative language that will sig-
5 nificantly improve the short-term and long-
6 term fiscal imbalance of the Federal Gov-
7 ernment.

8 (ii) RECOMMENDATIONS OF COMMIT-
9 TEES.—Not later than October 14, 2011,
10 each committee of the House of Represent-
11 atives and the Senate may transmit to the
12 joint committee its recommendations for
13 changes in law to reduce the deficit con-
14 sistent with the goal described in sub-
15 section (b)(2) for the joint committee's
16 consideration.

17 (B) REPORT, RECOMMENDATIONS, AND
18 LEGISLATIVE LANGUAGE.—

19 (i) IN GENERAL.—Not later than No-
20 vember 23, 2011, the joint committee shall
21 vote on—

22 (I) a report that contains a de-
23 tailed statement of the findings, con-
24 clusions, and recommendations of the

1 joint committee and the CBO estimate
2 required by paragraph (5)(D)(ii); and
3 (II) proposed legislative language
4 to carry out such recommendations as
5 described in subclause (I) which shall
6 include a statement of the deficit re-
7 duction achieved by the legislation
8 over the period of fiscal years 2012 to
9 2021.

10 Any change to the Rules of the House of
11 Representatives or the Standing Rules of
12 the Senate included in the report or legis-
13 lative language shall be considered to be
14 merely advisory.

15 (ii) APPROVAL OF REPORT AND LEG-
16 ISLATIVE LANGUAGE.—The report of the
17 joint committee and the proposed legisla-
18 tive language described in clause (i) shall
19 require the approval of a majority of the
20 members of the joint committee.

21 (iii) ADDITIONAL VIEWS.—A member
22 of the joint committee who gives notice of
23 an intention to file supplemental, minority,
24 or additional views at the time of final
25 joint committee vote on the approval of the

1 report and legislative language under
2 clause (ii), shall be entitled to 3 calendar
3 days in which to file such views in writing
4 with the staff director of the joint com-
5 mittee. Such views shall then be included
6 in the joint committee report and printed
7 in the same volume, or part thereof, and
8 their inclusion shall be noted on the cover
9 of the report. In the absence of timely no-
10 tice, the joint committee report may be
11 printed and transmitted immediately with-
12 out such views.

13 (iv) TRANSMISSION OF REPORT AND
14 LEGISLATIVE LANGUAGE.—If the report
15 and legislative language are approved by
16 the joint committee pursuant to clause (ii),
17 then not later than December 2, 2011, the
18 joint committee shall submit the joint com-
19 mittee report and legislative language de-
20 scribed in clause (i) to the President, the
21 Vice President, the Speaker of the House,
22 and the Majority and Minority Leaders of
23 both Houses.

24 (v) REPORT AND LEGISLATIVE LAN-
25 GUAGE TO BE MADE PUBLIC.—Upon the

1 approval or disapproval of the joint com-
2 mittee report and legislative language pur-
3 suant to clause (ii), the joint committee
4 shall promptly make the full report and
5 legislative language, and a record of the
6 vote, available to the public.

7 (4) MEMBERSHIP.—

8 (A) IN GENERAL.—The joint committee
9 shall be composed of 12 members appointed
10 pursuant to subparagraph (B).

11 (B) DESIGNATION.—Members of the joint
12 committee shall be appointed as follows:

13 (i) The majority leader of the Senate
14 shall appoint 3 members from among
15 Members of the Senate.

16 (ii) The minority leader of the Senate
17 shall appoint 3 members from among
18 Members of the Senate.

19 (iii) The Speaker of the House of
20 Representatives shall appoint 3 members
21 from among Members of the House of
22 Representatives.

23 (iv) The minority leader of the House
24 of Representatives shall appoint 3 mem-

1 bers from among Members of the House of
2 Representatives.

3 (C) CO-CHAIRS.—

4 (i) IN GENERAL.—There shall be 2
5 Co-Chairs of the joint committee. The ma-
6 jority leader of the Senate shall appoint
7 one Co-Chair from among the members of
8 the joint committee. The Speaker of the
9 House of Representatives shall appoint the
10 second Co-Chair from among the members
11 of the joint committee. The Co-Chairs shall
12 be appointed not later than 14 calendar
13 days after the date of enactment of this
14 section.

15 (ii) STAFF DIRECTOR.—The Co-
16 Chairs, acting jointly, shall hire the staff
17 director of the joint committee.

18 (D) DATE.—Members of the joint com-
19 mittee shall be appointed not later than 14 cal-
20 endar days after the date of enactment of this
21 section.

22 (E) PERIOD OF APPOINTMENT.—Members
23 shall be appointed for the life of the joint com-
24 mittee. Any vacancy in the joint committee
25 shall not affect its powers, but shall be filled

1 not later than 14 calendar days after the date
2 on which the vacancy occurs in the same man-
3 ner as the original designation. If a member of
4 the committee leaves Congress, the member is
5 no longer a member of the joint committee and
6 a vacancy shall exist.

7 (5) ADMINISTRATION.—

8 (A) IN GENERAL.—To enable the joint
9 committee to exercise its powers, functions and
10 duties, there are authorized to be disbursed by
11 the Senate the actual and necessary expenses of
12 the joint committee approved by the co-chairs,
13 subject to Senate rules and regulations.

14 (B) EXPENSES.—In carrying out its func-
15 tions, the joint committee is authorized to incur
16 expenses in the same manner and under the
17 same conditions as the Joint Economic Com-
18 mittee as authorized by section 11 of Public
19 Law 79-304 (15 U.S.C. 1024 (d)).

20 (C) QUORUM.—7 members of the joint
21 committee shall constitute a quorum for pur-
22 poses of voting, meeting, and holding hearings.

23 (D) VOTING.—

1 (i) PROXY VOTING.—No proxy voting
2 shall be allowed on behalf of the members
3 of the joint committee.

4 (ii) CONGRESSIONAL BUDGET OFFICE
5 ESTIMATES.—The Congressional Budget
6 Office shall provide estimates of the legis-
7 lation (as described in paragraph (3)(B))
8 in accordance with sections 308(a) and
9 201(f) of the Congressional Budget Act of
10 1974 (2 U.S.C. 639(a) and
11 601(f))(including estimates of the effect of
12 interest payment on the debt). In addition,
13 the Congressional Budget Office shall pro-
14 vide information on the budgetary effect of
15 the legislation beyond the year 2021. The
16 joint committee may not vote on any
17 version of the report, recommendations, or
18 legislative language unless such estimates
19 are available for consideration by all mem-
20 bers of the joint committee at least 48
21 hours prior to the vote as certified by the
22 Co-Chairs.

23 (E) MEETINGS.—

24 (i) INITIAL MEETING.—Not later than
25 45 calendar days after the date of enact-

1 ment of this section, the joint committee
2 shall hold its first meeting.

3 (ii) AGENDA.—The Co-Chairs shall
4 provide an agenda to the joint committee
5 members not less than 48 hours in advance
6 of any meeting.

7 (F) HEARINGS.—

8 (i) IN GENERAL.—The joint com-
9 mittee may, for the purpose of carrying
10 out this section, hold such hearings, sit
11 and act at such times and places, require
12 attendance of witnesses and production of
13 books, papers, and documents, take such
14 testimony, receive such evidence, and ad-
15 minister such oaths the joint committee
16 considers advisable.

17 (ii) HEARING PROCEDURES AND RE-
18 SPONSIBILITIES OF CO-CHAIRS.—

19 (I) ANNOUNCEMENT.—The joint
20 committee Co-Chairs shall make a
21 public announcement of the date,
22 place, time, and subject matter of any
23 hearing to be conducted not less than
24 7 days in advance of such hearing,
25 unless the Co-Chairs determine that

1 there is good cause to begin such
2 hearing at an earlier date.

3 (II) WRITTEN STATEMENT.—A
4 witness appearing before the joint
5 committee shall file a written state-
6 ment of proposed testimony at least 2
7 calendar days prior to appearance, un-
8 less the requirement is waived by the
9 Co-Chairs, following their determina-
10 tion that there is good cause for fail-
11 ure of compliance.

12 (G) TECHNICAL ASSISTANCE.—Upon writ-
13 ten request of the Co-Chairs, a Federal agency
14 shall provide technical assistance to the joint
15 committee in order for the joint committee to
16 carry out its duties.

17 (c) STAFF OF JOINT COMMITTEE.—

18 (1) IN GENERAL.—The Co-Chairs of the joint
19 committee may jointly appoint and fix the compensa-
20 tion of staff as they deem necessary, within the
21 guidelines for Senate employees and following all ap-
22 plicable Senate rules and employment requirements.

23 (2) ETHICAL STANDARDS.—Members on the
24 joint committee who serve in the House of Rep-
25 resentatives shall be governed by the House ethics

1 rules and requirements. Members of the Senate who
2 serve on the joint committee and staff of the joint
3 committee shall comply with Senate ethics rules.

4 (d) TERMINATION.—The joint committee shall termi-
5 nate on January 13, 2012.

6 **SEC. 402. EXPEDITED CONSIDERATION OF JOINT COM-**
7 **MITTEE RECOMMENDATIONS.**

8 (a) INTRODUCTION.—If approved by the majority re-
9 quired by section 401(b)(3)(B)(ii), the proposed legislative
10 language submitted pursuant to section 401(b)(3)(B)(iv)
11 shall be introduced in the Senate (by request) on the next
12 day on which the Senate is in session by the majority lead-
13 er of the Senate or by a Member of the Senate designated
14 by the majority leader of the Senate and shall be intro-
15 duced in the House of Representatives (by request) on the
16 next legislative day by the majority leader of the House
17 or by a Member of the House designated by the majority
18 leader of the House.

19 (b) CONSIDERATION IN THE HOUSE OF REPRESENT-
20 ATIVES.—

21 (1) REFERRAL AND REPORTING.—Any com-
22 mittee of the House of Representatives to which the
23 joint committee bill is referred shall report it to the
24 House without amendment not later than December
25 9, 2011. If a committee fails to report the joint com-

1 mittee bill within that period, it shall be in order to
2 move that the House discharge the committee from
3 further consideration of the bill. Such a motion shall
4 not be in order after the last committee authorized
5 to consider the bill reports it to the House or after
6 the House has disposed of a motion to discharge the
7 bill. The previous question shall be considered as or-
8 dered on the motion to its adoption without inter-
9 vening motion except 20 minutes of debate equally
10 divided and controlled by the proponent and an op-
11 ponent. If such a motion is adopted, the House shall
12 proceed immediately to consider the joint committee
13 bill in accordance with paragraphs (2) and (3). A
14 motion to reconsider the vote by which the motion
15 is disposed of shall not be in order.

16 (2) PROCEEDING TO CONSIDERATION.—After
17 the last committee authorized to consider a joint
18 committee bill reports it to the House or has been
19 discharged (other than by motion) from its consider-
20 ation, it shall be in order to move to proceed to con-
21 sider the joint committee bill in the House. Such a
22 motion shall not be in order after the House has dis-
23 posed of a motion to proceed with respect to the
24 joint committee bill. The previous question shall be
25 considered as ordered on the motion to its adoption

1 without intervening motion. A motion to reconsider
2 the vote by which the motion is disposed of shall not
3 be in order.

4 (3) CONSIDERATION.—The joint committee bill
5 shall be considered as read. All points of order
6 against the joint committee bill and against its con-
7 sideration are waived. The previous question shall be
8 considered as ordered on the joint committee bill to
9 its passage without intervening motion except 2
10 hours of debate equally divided and controlled by the
11 proponent and an opponent and one motion to limit
12 debate on the joint committee bill. A motion to re-
13 consider the vote on passage of the joint committee
14 bill shall not be in order.

15 (4) VOTE ON PASSAGE.—The vote on passage
16 of the joint committee bill shall occur not later than
17 December 23, 2011.

18 (c) EXPEDITED PROCEDURE IN THE SENATE.—

19 (1) COMMITTEE CONSIDERATION.—A joint com-
20 mittee bill introduced in the Senate under subsection
21 (a) shall be jointly referred to the committee or com-
22 mittees of jurisdiction, which committees shall report
23 the bill without any revision and with a favorable
24 recommendation, an unfavorable recommendation, or
25 without recommendation, not later than December 9,

1 2011. If any committee fails to report the bill within
2 that period, that committee shall be automatically
3 discharged from consideration of the bill, and the
4 bill shall be placed on the appropriate calendar.

5 (2) MOTION TO PROCEED.—Notwithstanding
6 Rule XXII of the Standing Rules of the Senate, it
7 is in order, not later than 2 days of session after the
8 date on which a joint committee bill is reported or
9 discharged from all committees to which it was re-
10 ferred, for the majority leader of the Senate or the
11 majority leader's designee to move to proceed to the
12 consideration of the joint committee bill. It shall also
13 be in order for any Member of the Senate to move
14 to proceed to the consideration of the joint com-
15 mittee bill at any time after the conclusion of such
16 2-day period. A motion to proceed is in order even
17 though a previous motion to the same effect has
18 been disagreed to. All points of order against the
19 motion to proceed to the joint committee bill are
20 waived. The motion to proceed is not debatable. The
21 motion is not subject to a motion to postpone. A mo-
22 tion to reconsider the vote by which the motion is
23 agreed to or disagreed to shall not be in order. If
24 a motion to proceed to the consideration of the joint
25 committee bill is agreed to, the joint committee bill

1 shall remain the unfinished business until disposed
2 of.

3 (3) CONSIDERATION.—All points of order
4 against the joint committee bill and against consid-
5 eration of the joint committee bill are waived. Con-
6 sideration of the joint committee bill and of all de-
7 batable motions and appeals in connection therewith
8 shall not exceed a total of 30 hours which shall be
9 divided equally between the Majority and Minority
10 Leaders or their designees. A motion further to limit
11 debate on the joint committee bill is in order, shall
12 require an affirmative vote of three-fifths of the
13 Members duly chosen and sworn, and is not debat-
14 able. Any debatable motion or appeal is debatable
15 for not to exceed 1 hour, to be divided equally be-
16 tween those favoring and those opposing the motion
17 or appeal. All time used for consideration of the
18 joint committee bill, including time used for quorum
19 calls and voting, shall be counted against the total
20 30 hours of consideration.

21 (4) NO AMENDMENTS.—An amendment to the
22 joint committee bill, or a motion to postpone, or a
23 motion to proceed to the consideration of other busi-
24 ness, or a motion to recommit the joint committee
25 bill, is not in order.

1 (5) VOTE ON PASSAGE.—If the Senate has
2 voted to proceed to the joint committee bill, the vote
3 on passage of the joint committee bill shall occur im-
4 mediately following the conclusion of the debate on
5 a joint committee bill, and a single quorum call at
6 the conclusion of the debate if requested. The vote
7 on passage of the joint committee bill shall occur not
8 later than December 23, 2011.

9 (6) RULINGS OF THE CHAIR ON PROCEDURE.—
10 Appeals from the decisions of the Chair relating to
11 the application of the rules of the Senate, as the
12 case may be, to the procedure relating to a joint
13 committee bill shall be decided without debate.

14 (d) AMENDMENT.—The joint committee bill shall not
15 be subject to amendment in either the House of Rep-
16 resentatives or the Senate.

17 (e) CONSIDERATION BY THE OTHER HOUSE.—

18 (1) IN GENERAL.—If, before passing the joint
19 committee bill, one House receives from the other a
20 joint committee bill—

21 (A) the joint committee bill of the other
22 House shall not be referred to a committee; and

23 (B) the procedure in the receiving House
24 shall be the same as if no joint committee bill
25 had been received from the other House until

1 the vote on passage, when the joint committee
2 bill received from the other House shall sup-
3 plant the joint committee bill of the receiving
4 House.

5 (2) REVENUE MEASURE.—This subsection shall
6 not apply to the House of Representatives if the
7 joint committee bill received from the Senate is a
8 revenue measure.

9 (f) RULES TO COORDINATE ACTION WITH OTHER
10 HOUSE.—

11 (1) TREATMENT OF JOINT COMMITTEE BILL OF
12 OTHER HOUSE.—If the Senate fails to introduce or
13 consider a joint committee bill under this section,
14 the joint committee bill of the House shall be enti-
15 tled to expedited floor procedures under this section.

16 (2) TREATMENT OF COMPANION MEASURES IN
17 THE SENATE.—If following passage of the joint com-
18 mittee bill in the Senate, the Senate then receives
19 the joint committee bill from the House of Rep-
20 resentatives, the House-passed joint committee bill
21 shall not be debatable. The vote on passage of the
22 joint committee bill in the Senate shall be considered
23 to be the vote on passage of the joint committee bill
24 received from the House of Representatives.

1 (3) VETOES.—If the President vetoes the joint
2 committee bill, debate on a veto message in the Sen-
3 ate under this section shall be 1 hour equally divided
4 between the majority and minority leaders or their
5 designees.

6 (g) LOSS OF PRIVILEGE.—The provisions of this sec-
7 tion shall cease to apply to the joint committee bill if—

8 (1) the joint committee fails to vote on the re-
9 port or proposed legislative language required under
10 section 201(b)(3)(B)(i) by November 23, 2011; or

11 (2) the joint committee bill does not pass both
12 Houses by December 23, 2011.

13 **SEC. 403. FUNDING.**

14 Funding for the joint committee shall be derived in
15 equal portions from—

16 (1) the applicable accounts of the House of
17 Representatives; and

18 (2) the contingent fund of the Senate from the
19 appropriations account “Miscellaneous Items”, sub-
20 ject to Senate rules and regulations.

21 **SEC. 404. RULEMAKING.**

22 The provisions of this title are enacted by Congress—

23 (1) as an exercise of the rulemaking power of
24 the House of Representatives and the Senate, re-
25 spectively, and as such they shall be considered as

1 part of the rules of each House, respectively, or of
2 that House to which they specifically apply, and
3 such rules shall supersede other rules only to the ex-
4 tent that they are inconsistent therewith; and

5 (2) with full recognition of the constitutional
6 right of either House to change such rules (so far
7 as relating to such House) at any time, in the same
8 manner, and to the same extent as in the case of
9 any other rule of such House.

10 **TITLE V—PELL GRANT AND STU-**
11 **DENT LOAN PROGRAM**
12 **CHANGES**

13 **SEC. 501. FEDERAL PELL GRANTS.**

14 Section 401(b)(7)(A)(iv) of the Higher Education Act
15 of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)) is amended—

16 (1) in subclause (II), by striking
17 “\$3,183,000,000” and inserting “\$12,183,000,000”;
18 and

19 (2) in subclause (III), by striking “\$0” and in-
20 serting “\$8,000,000,000”.

1 **SEC. 502. TERMINATION OF AUTHORITY TO MAKE INTER-**
2 **EST SUBSIDIZED LOANS TO GRADUATE AND**
3 **PROFESSIONAL STUDENTS.**

4 Section 455(a) of the Higher Education Act of 1965
5 (20 U.S.C. 1087e(a)) is amended by adding at the end
6 the following new paragraph:

7 “(3) TERMINATION OF AUTHORITY TO MAKE
8 INTEREST SUBSIDIZED LOANS TO GRADUATE AND
9 PROFESSIONAL STUDENTS.—

10 “(A) IN GENERAL.—Subject to subpara-
11 graph (B) and notwithstanding any provision of
12 this part or part B, for any period of instruc-
13 tion beginning on or after July 1, 2012—

14 “(i) a graduate or professional stu-
15 dent shall not be eligible to receive a Fed-
16 eral Direct Stafford loan under this part;
17 and

18 “(ii) the maximum annual amount of
19 Federal Direct Unsubsidized Stafford
20 loans such a student may borrow in any
21 academic year (as defined in section
22 481(a)(2)) or its equivalent shall be the
23 maximum annual amount for such student
24 determined under section 428H, plus an
25 amount equal to the amount of Federal
26 Direct Stafford loans the student would

1 have received in the absence of this sub-
2 paragraph.

3 “(B) EXCEPTION.—Subparagraph (A)
4 shall not apply to an individual enrolled in
5 course work specified in paragraph (3)(B) or
6 (4)(B) of section 484(b).”.

7 **SEC. 503. TERMINATION OF DIRECT LOAN REPAYMENT IN-**
8 **CENTIVES.**

9 Section 455(b)(8) of the Higher Education Act of
10 1965 (20 U.S.C. 1087e(b)(8)) is amended—

11 (1) in subparagraph (A)—

12 (A) by amending the header to read as fol-
13 lows: “(A) INCENTIVES FOR LOANS DISBURSED
14 BEFORE JULY 1, 2012.—”; and

15 (B) by inserting “with respect to loans for
16 which the first disbursement of principal is
17 made before July 1, 2012,” after “of this
18 part”;

19 (2) in subparagraph (B), by inserting “with re-
20 spect to loans for which the first disbursement of
21 principal is made before July 1, 2012” after “repay-
22 ment incentives”; and

23 (3) by adding at the end the following new sub-
24 paragraph:

1 “(C) NO REPAYMENT INCENTIVES FOR
2 NEW LOANS DISBURSED ON OR AFTER JULY 1,
3 2012.—Notwithstanding any other provision of
4 this part, the Secretary is prohibited from au-
5 thorizing or providing any repayment incentive
6 not otherwise authorized under this part to en-
7 courage on-time repayment of a loan under this
8 part for which the first disbursement of prin-
9 cipal is made on or after July 1, 2012, includ-
10 ing any reduction in the interest or origination
11 fee rate paid by a borrower of such a loan, ex-
12 cept that the Secretary may provide for an in-
13 terest rate reduction for a borrower who agrees
14 to have payments on such a loan automatically
15 electronically debited from a bank account.”.

16 **SEC. 504. INAPPLICABILITY OF TITLE IV NEGOTIATED**
17 **RULEMAKING AND MASTER CALENDAR EX-**
18 **CEPTION.**

19 Sections 482(c) and 492 of the Higher Education Act
20 of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to
21 the amendments made by this title, or to any regulations
22 promulgated under those amendments.

Amend the title so as to read: “A bill to cut and cap
spending, require a vote on a balanced budget constitu-
tional amendment, meet existing commitments, and facili-

tate the enactment of a bipartisan plan to reduce the deficit, and for other purposes.”.



PART B—TEXT OF AMENDMENT CONSIDERED AS ADOPTED

AMENDMENT
TO THE AMENDMENT IN THE NATURE OF A
SUBSTITUTE TO S. 627

Page 13, line 5, strike “and \$1,262,000,000,000 in outlays,”.

Page 13, line 11, strike “and \$1,196,000,000,000 in outlays,”.

Page 17, line 7, insert “s” immediately before the colon.

Page 17, line 18, strike the closed quotation mark and the period at the end, and insert the following:

1 “(e) ENFORCEMENT OF DISCRETIONARY SPENDING
2 CAPS.—It shall not be in order in the House of Represent-
3 atives or the Senate to consider any bill, joint resolution,
4 amendment, motion, or conference report that would cause
5 the discretionary spending limits as set forth in section
6 251 of the Balanced Budget and Emergency Deficit Con-
7 trol Act to be exceeded.”.

Page 18, after line 22, add the following new sub-
section:

1 (d) APPEALS FOR DISCRETIONARY CAPS.—Section
2 904(c)(2) of the Congressional Budget Act of 1974 is
3 amended by striking “and 312(c)” and inserting “312(c),
4 and 314(e)”.

Page 27, line 9, strike “receipt of the certification”
and insert “introduction of a joint resolution”.

Page 27, line 19, strike “Congress receives a certifi-
cation” and insert “introduction of a joint resolution”.

Page 32, strike line 6 through page 33, line 4 and
insert the following:

5 “(4) CONSIDERATION AFTER PASSAGE.—(A) If
6 Congress passes a joint resolution, the period begin-
7 ning on the date the President is presented with the
8 joint resolution and ending on the date the President
9 signs, allows to become law without his signature, or
10 vetoes and returns the joint resolution (but exclud-
11 ing days when either House is not in session) shall
12 be disregarded in computing the appropriate cal-
13 endar day period described in subsection (b)(1).

14 “(B) debate on a veto message in the Sen-
15 ate under this section shall be 1 hour equally
16 divided between the majority and minority lead-
17 ers or their designees.”.

